

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Case No.

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. BENJAMINE MAESTAS,
a/k/a "Mover,"
a/k/a "Benji,"
2. LEONARD MARTINEZ,
a/k/a "Leo,"
3. ANTHONY SHIPPLEY,
a/k/a "Buddy,"
4. RUBEN BRAVO,
a/k/a "Big R,"
5. JOHN BERTOLUCCI,
a/k/a "Johnny,"
6. ERNEST SALAS,
7. EDWARD MONTANO,
8. CARY WEINMAN,
9. ADRIAN SISNEROS,
10. MICHAEL HEE,
a/k/a "Hawaii Mike," and
11. WAYNE ORDAKOWSKI,
a/k/a "Lumpy,"

Defendants.

INDICTMENT

21 U.S.C. § 846
21 U.S.C. § 841(a)(1)
21 U.S.C. § 843
18 U.S.C. § 1343
18 U.S.C. § 3
18 U.S.C. § 1512(b)(3)
18 U.S.C. § 2321
18 U.S.C. § 922(g)(1)
18 U.S.C. § 2
21 U.S.C. § 853
18 U.S.C. § 981
28 U.S.C. § 2461

The Grand Jury charges that:

COUNT ONE

21 U.S.C. § 846

1. From in or about August 2006, until on or about August 6, 2008, within the State and District of Colorado and elsewhere, the defendants BENJAMINE MAESTAS, LEONARD MARTINEZ, ANTHONY SHIPPLEY, RUBEN BRAVO, JOHN BERTOLUCCI, ERNEST SALAS, EDWARD MONTANO, CARY WEINMAN, ADRIAN SISNEROS, MICHAEL HEE, and others unknown to the grand jury, did knowingly and intentionally conspire to distribute and to possess with the intent to distribute one or more of the following controlled substances: 50 grams and more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams and more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "ecstasy"), a Schedule I Controlled Substance.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(ii)(II) and (viii), 841(b)(1)(C) and 846.

COUNT TWO

21 U.S.C. § 841(a)(1)
18 U.S.C. § 2

2. On or about March 27, 2007, in the State and District of Colorado, defendants BENJAMINE MAESTAS and LEONARD MARTINEZ, knowingly possessed with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(B)(viii) and Title 18, United States Code, Section 2.

COUNT THREE

21 U.S.C. § 841(a)(1)
18 U.S.C. § 2

3. On or about August 19, 2007, in the State and District of Colorado, defendants BENJAMINE MAESTAS, ANTHONY SHIPPLEY, and JOHN BERTOLUCCI knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT FOUR

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

4. On or about September 27, 2007, in the State and District of Colorado, defendant BENJAMINE MAESTAS knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT FIVE

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

5. On or about October 17, 2007, in the State and District of Colorado, defendants BENJAMINE MAESTAS and RUBEN BRAVO, knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT SIX

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

6. On or about October 27, 2007, within the State and District of Colorado, defendant LEONARD MARTINEZ knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and did

knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT SEVEN

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

7. On or about November 6, 2007, within the State and District of Colorado, defendant LEONARD MARTINEZ knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT EIGHT

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

8. On or about November 23, 2007, within the State and District of Colorado, defendant MICHAEL HEE knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "ecstasy"), a Schedule I controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT NINE

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

9. On or about November 23, 2007, within the State and District of Colorado, defendant MICHAEL HEE knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT TEN

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

10. On or about November 27, 2007, in the State and District of Colorado, defendants MICHAEL HEE and BENJAMINE MAESTAS, knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "ecstasy"), a Schedule I controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT ELEVEN

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

11. On or about November 28, 2007, in the State and District of Colorado, defendants MICHAEL HEE, BENJAMINE MAESTAS, and LEONARD MARTINEZ, knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "ecstasy"), a Schedule I controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT TWELVE

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

12. On or about December 14, 2007, in the State and District of Colorado, defendant LEONARD MARTINEZ, knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "ecstasy"), a Schedule I controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT THIRTEEN

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

13. On or about April 5, 2008, in the State and District of Colorado, defendant RUBEN BRAVO, knowingly possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same.

All in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT FOURTEEN

21 U.S.C. § 843(b)

14. On or about October 17, 2007, within the State and District of Colorado and elsewhere, defendant ANTHONY SHIPPLEY, knowingly used a communication facility, the telephone, in committing and in causing and facilitating the commission of an act or acts constituting one and more felonies, to wit: possession with intent to distribute a Schedule II controlled substance, namely, pills containing detectable amounts of oxycodone, the active pharmaceutical ingredient for the brand-name prescription drug Percocet, in violation of Title 21, United States Code, Sections 841 and 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT FIFTEEN

18 U.S.C. § 1343

18 U.S.C. § 2

15. Beginning on or about January 27, 2007, and continuing to at least on or about October 8, 2007, within the State and District of Colorado, defendant BENJAMINE MAESTAS, and others known and unknown to the Grand Jury, knowingly and intentionally executed, and attempted to execute, a scheme to defraud “John” and to obtain money and property from “John” by means of materially false and fraudulent pretenses, representations and promises.

16. It was part of the scheme for MAESTAS and others to represent to “John” that MAESTAS would sell “John” ½ pound of methamphetamine in exchange for \$4,900. After “John” agreed to purchase the methamphetamine for \$4,900, it was further part of the scheme that MAESTAS would knowingly and intentionally provide to “John” a substance that was not methamphetamine in exchange for the \$4,900.

17. For the purpose of executing this scheme, and in order to lull the victims of the scheme, on or about October 8, 2007, defendant BENJAMINE MAESTAS made a telephone call from Denver, Colorado, on telephone number (720) 690-4831, to "Face," the president of the Las Vegas Chapter of the MONGOLS, in Las Vegas, Nevada, at telephone number (702) 578-4285.

All in violation of 18 U.S.C. §§ 1343 and 2.

COUNT SIXTEEN

18 U.S.C. § 1343

18 U.S.C. § 2

18. Beginning on or about August 2, 2007, and continuing to on or about September 18, 2007, within the State and District of Colorado and elsewhere, defendants BENJAMINE MAESTAS and LEONARD MARTINEZ, and others known and unknown to the Grand Jury, knowingly and intentionally executed, and attempted to execute, a scheme to defraud Loud Financial, LLC, and to obtain money and property from Loud Financial, LLC, by means of materially false and fraudulent pretenses, representations, and promises.

19. It was part of the scheme for MAESTAS to direct MARTINEZ to find a victim whose identity could be used, without the victim's knowledge or consent, in order to obtain a loan to purchase a 2006 Chopper from Hacienda Harley-Davidson, located in Scottsdale, Arizona. MAESTAS selected a dealer located in Denver called L2 to facilitate the purchase from Hacienda Harley-Davidson. MARTINEZ chose L.M. as the victim whose identity would be used.

20. It was further part of the scheme that, on or about August 4, 2007, MARTINEZ, at the direction of MAESTAS, manufactured a false identification with MARTINEZ's photograph and the victim's name, address, and driver's license number.

21. It was further part of the scheme that, on or about August 14, 2007, MARTINEZ, at the direction of MAESTAS, filled out and signed a credit application using the name, address, and social security number of the victim, L.M. This credit application was sent to Loud Financial, LLC.

22. It was further part of the scheme that MARTINEZ, at the direction of MAESTAS,

provided a false proof of insurance for the 2006 Chopper being fraudulently purchased.

23. It was further part of the scheme that, on or about August 22, 2007, MARTINEZ, at the direction of MAESTAS, signed a loan agreement with Loud Financial for \$23,293.50 for the purchase of a 2006 Chopper. This loan agreement was filled out in victim L.M.'s identity and MARTINEZ signed the agreement in the victim's name.

24. On or about September 11, 2007, for the purpose of executing this scheme, defendants MAESTAS and MARTINEZ caused to be transmitted by means of wire communications in interstate commerce \$ 25,221.32 from Wells Fargo in Denver, Colorado, on behalf of Loud Financial, LLC, to an account in the name of Hacienda Harley-Davidson at JP Morgan Chase in Scottsdale, Arizona, in connection with a loan for the purchase of a 2006 Chopper motorcycle with a vehicle identification number of 1P9S229556C522200.

All in violation of 18 U.S.C. §§ 1343 and 2.

COUNT SEVENTEEN
18 U.S.C. § 3

25. On or about October 15, 2007, in the State and District of Colorado, the defendant, WAYNE ORDAKOWSKI, knowing that an offense against the United States had been committed, to wit, the wire fraud described in Count Sixteen, did relieve, comfort, and assist the offenders, BENJAMINE MAESTAS and LEONARD MARTINEZ, in order to hinder and prevent the offenders' apprehension, trial and punishment.

All in violation of 18 U.S.C. § 3.

COUNT EIGHTEEN
18 U.S.C. §§ 1512(b)(3)
18 U.S.C. § 2

26. From on or about September 14, 2007, through on or about September 18, 2007, within the State and District of Colorado, defendant BENJAMINE MAESTAS, with the intent to hinder, delay, and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a federal offense, knowingly used, attempted to use, and caused the use of intimidation and corrupt persuasion, and engaged in, and caused others to engage in, misleading conduct. Specifically, after law enforcement began investigating the wire fraud charged in Count Sixteen of this Indictment, defendant MAESTAS sent several text messages to a witness who had information about this fraud scheme, WAYNE ORDAKOWSKI, offering to make ORDAKOWSKI the Vice President of the Okane Park Chapter of the MONGOLS, offering ORDAKOWSKI three Okane Park Chapter prospects to work free "hard labor" for ORDAKOWSKI, and telling ORDAKOWSKI to "act stupid" if the "cops call."

All in violation of 18 U.S.C. §§ 1512(b)(3) and 2(b).

COUNT NINETEEN
18 U.S.C. §§ 1512(b)(3)
18 U.S.C. § 2

27. On or about September 27, 2007, within the State and District of Colorado, defendants BENJAMINE MAESTAS and LEONARD MARTINEZ, with the intent to hinder, delay, and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a federal offense, knowingly used, attempted to use, and caused, aided, and abetted the use of intimidation, threats, or corrupt persuasion against any

person. Specifically, after a witness, who had information about the drug trafficking conspiracy charged in Count One of this Indictment and about the possession with the intent to distribution cocaine offense charged in Count Four of this Indictment, was arrested and released by law enforcement on September 27, 2007, defendants BENJAMINE MAESTAS and LEONARD MARTINEZ met with this witness and questioned the witness about the details of the witness's arrest and conversations with police. During this meeting, MAESTAS and MARTINEZ had a large knife in plain view. When the witness asked what the knife was for and whether they were going to cut him, MAESTAS replied that they would have if he had talked to the police.

All in violation of 18 U.S.C. §§ 1512(b)(3) and 2.

COUNT TWENTY

18 U.S.C. § 2321

18 U.S.C. § 2

28. On or about November 13, 2007, within the State and District of Colorado, defendant BENJAMINE MAESTAS, with the intent to sell and otherwise dispose of, knowingly received, possessed, and obtained control of a motor vehicle and a motor vehicle part knowing that the identification number for such motor vehicle and motor vehicle part had been removed, obliterated, tampered with, and altered, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same. All in violation of 18 U.S.C. §§ 2321 and 2.

COUNT TWENTY-ONE
18 U.S.C. § 922(g)(1), 924(a)(2)

29. On or about October 3, 2006, in the State and District of Colorado, the defendant, BENJAMINE MAESTAS, knowingly possessed a firearm and ammunition which had been transported in interstate and foreign commerce, having been convicted of one and more crimes punishable by imprisonment for a term exceeding one year, to wit: October 22, 1998, Criminal Attempt - Menacing, Jefferson County Combined Court, Case No. 98CR1837.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT TWENTY-TWO
Forfeiture Allegation
21 U.S.C. §853
18 U.S.C. §981
28 U.S.C. § 2461

30. As a result of the foregoing offenses, violations of Title 21, United States Code, Sections 841(a)(1) and 846, the defendants, BENJAMINE MAESTAS, LEONARD MARTINEZ, ANTHONY SHIPPLEY, RUBEN BRAVO, JOHN BERTOLUCCI, ERNEST SALAS, EDWARD MONTANO, CARY WEINMAN, ADRIAN SISNEROS, MICHAEL HEE, shall forfeit, pursuant to Title 21, United States Code, Section 853, to the United States any and all property, real or personal, constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violations, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in this Indictment.

In addition, as a result of the foregoing offenses, violations of Title 18, United States Code, Section 1343, the defendants BENJAMINE MAESTAS and LEONARD MARTINEZ

shall forfeit, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), to the United States any and all property, real or personal, constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violations alleged in this Indictment.

If any of the property subject to forfeiture as a result of any act or omission of the defendant:

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred or sold to or deposited with a third person;
- C. has been placed beyond the jurisdiction of this Court;
- D. has been substantially diminished in value; or
- E. has been co-mingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

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All in violation of Title 21, United States Code, Section 853, Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

Ink signature on file in the clerk's office
GRAND JURY FOREPERSON

TROY A. EID
United States Attorney

s/Pegeen D. Rhyne
By: PEGEEN D. RHYNE
Assistant United States Attorney
Assistant United States Attorney
United States Attorney's Office
1225 17th Street, Suite 700
Denver, Colorado 80202
Telephone: (303) 454-0100
E-mail: Pegeen.Rhyne@usdoj.gov
Attorney for the United States

s/Stephen Tokarz
By: STEPHEN M. TOKARZ
Assistant United States Attorney
United States Attorney's Office
1225 17th Street, Suite 700
Denver, Colorado 80202
Telephone: (303) 454-0100
E-mail: Stephen.Tokarz@usdoj.gov
Attorney for the United States

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: BENJAMINE MAESTAS

YOB: 1974

ADDRESS (CITY/STATE): Denver, Colorado

COMPLAINT FILED? _____ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNTS TWO & FIVE: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNTS THREE & FOUR: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNTS TEN & ELEVEN: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute a mixture and substance containing a detectable amount of

methylenedioxymethamphetamine (“MDMA” or “Ecstasy”), a Schedule I controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNTS FIFTEEN & SIXTEEN: Title 18, United States Code, Sections 1343 and 2 - Knowingly and intentionally executing, and attempted to execute, a scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises.

COUNTS EIGHTEEN & NINETEEN: Title 18, United States Code, Section 1512(b)(3) and 2 - Knowingly used, attempted to use, and caused the use of intimidation and corrupt persuasion, and engaged in, and caused others to engage in, misleading conduct with the intent to hinder, delay, and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a federal offense.

COUNT TWENTY: Title 18, United States Code, Sections 2321 and 2 - Knowingly received, possessed, and obtained control of a motor vehicle and a motor vehicle part knowing that the identification number for such motor vehicle and motor vehicle part had been removed, obliterated, tampered with, and altered, and did knowingly and intentionally aid, abet, counsel, command, induce, procure, and cause the same

COUNT TWENTY-ONE: Title 18, United States Code, Section 922(g)(1)- Knowingly possessed a firearm or ammunition, affecting interstate commerce after having been convicted of a crime punishable by a term of imprisonment exceeding one year.

COUNT TWENTY-TWO:- 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461 Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado and elsewhere

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

COUNT TWO: NLT 5 years, NMT 40 years imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

COUNTS THREE, FOUR & FIVE: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

COUNTS TEN & ELEVEN: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

COUNTS FIFTEEN & SIXTEEN: NMT 30 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

COUNTS EIGHTEEN & NINETEEN: NMT 20 years imprisonment; NMT 5 years supervised release; \$250,000.00 fine; \$100.00 Special Assessment

COUNT TWENTY: NMT 10 years imprisonment; NMT 3 years supervised release; \$250,000.00 fine; \$100.00 Special Assessment

COUNT TWENTY-ONE: NMT 10 years imprisonment; NMT 3 years supervised release; \$250,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

_____ five days or less X over five days _____ other

THE GOVERNMENT

 X will seek detention in this case _____ will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes _____ No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: LEONARD MARTINEZ

YOB: 1967

ADDRESS (CITY/STATE): Currently incarcerated, previously Aurora, Colorado

COMPLAINT FILED? _____ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNT TWO: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNTS SIX, SEVEN: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNTS ELEVEN & TWELVE: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute a mixture and substance containing a detectable amount

of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNT SIXTEEN: Title 18, United States Code, Sections 1343 and 2 - Knowingly and intentionally executing, and attempted to execute, a scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises.

COUNT NINETEEN: Title 18, United States Code, Section 1512(b)(3) and 2 - Knowingly used, attempted to use, and caused the use of intimidation and corrupt persuasion, and engaged in, and caused others to engage in, misleading conduct with the intent to hinder, delay, and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a federal offense.

COUNT TWENTY-TWO: 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461 Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado and elsewhere

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

COUNT TWO: NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

COUNTS SIX, SEVEN: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

COUNTS ELEVEN & TWELVE: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

COUNT SIXTEEN: NMT 30 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

COUNT NINETEEN: NMT 20 years imprisonment; NMT 5 years supervised release; \$250,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

_____ five days or less X over five days _____ other

THE GOVERNMENT

 X will seek detention in this case _____ will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes _____ No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: ANTHONY SHIPPLEY

YOB: 1967

ADDRESS (CITY/STATE): Denver, Colorado

COMPLAINT FILED? _____ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNT THREE: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNT FOURTEEN: Title 21, United States Code, Section 843(b) - Knowingly using a communications facility, the telephone, in committing and in causing and facilitating the commission of an act or acts constituting one or more felonies, to wit: possession with intent to distribute a Schedule II controlled substance, namely, pills containing detectable amounts of oxycodone, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

COUNT TWENTY-TWO: 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461
Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

COUNT THREE: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

COUNT FOURTEEN: NMT 4 years imprisonment; NMT 3 years supervised release; \$250,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

_____ five days or less X over five days _____ other

THE GOVERNMENT

 X will seek detention in this case _____ will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes _____ No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: RUBEN BRAVO

YOB: 1963

ADDRESS (CITY/STATE): Fort Lupton, Colorado

COMPLAINT FILED? _____ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNT FIVE: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNT THIRTEEN: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNT TWENTY-TWO: 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461 Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado and elsewhere

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

COUNT FIVE: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

COUNT THIRTEEN: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

_____ five days or less X over five days _____ other

THE GOVERNMENT

 X will seek detention in this case _____ will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes _____ No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: JOHN BERTOLUCCI

YOB: 1960

ADDRESS (CITY/STATE): Lakewood, Colorado

COMPLAINT FILED? _____ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNT THREE: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNT TWENTY-TWO: 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461 Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

COUNT THREE: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

 five days or less X over five days other

THE GOVERNMENT

 X will seek detention in this case will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: ERNEST SALAS

YOB: 1966

ADDRESS (CITY/STATE): Denver, Colorado

COMPLAINT FILED? _____ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNT TWENTY-TWO: 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461
Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

_____ five days or less X over five days _____ other

THE GOVERNMENT

 X will seek detention in this case _____ will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes _____ No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: EDWARD MONTANO

YOB: 1966

ADDRESS (CITY/STATE): Denver, Colorado

COMPLAINT FILED? _____ YES ___X___ NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES ___X___ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNT TWENTY-TWO: 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461
Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

_____ five days or less X over five days _____ other

THE GOVERNMENT

 X will seek detention in this case _____ will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes _____ No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: CARY WEINMAN

YOB: 1944

ADDRESS (CITY/STATE): Centennial, Colorado

COMPLAINT FILED? ☐ YES ☒ NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? ☐ YES ☐ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNT TWENTY-TWO: 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461
Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

☐ five days or less ☒ over five days ☐ other

THE GOVERNMENT

 X will seek detention in this case will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: ADRIAN SISNEROS

YOB: 1982

ADDRESS (CITY/STATE): Lakewood, Colorado

COMPLAINT FILED? _____ YES ☒ NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNT TWENTY-TWO: 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461
Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

_____ five days or less ☒ over five days _____ other

THE GOVERNMENT

 X will seek detention in this case will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: MICHAEL HEE

YOB: 1964

ADDRESS (CITY/STATE): Denver, Colorado

COMPLAINT FILED? _____ YES ☒ NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT ONE:** Title 21, United States Code, Section 846 - Conspiracy to distribute and possess with the intent to distribute one or more of the following controlled substances: 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; and a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(viii), 841(b)(1)(b)(ii)(II), 841(b)(1)(C).

COUNTS EIGHT, TEN & ELEVEN: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute a mixture and substance containing a detectable amount of methylenedioxymethamphetamine ("MDMA" or "Ecstasy"), a Schedule I controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNT NINE: Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2 - Knowingly possessing with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and knowingly and intentionally aiding, abetting, counseling, commanding, inducing, procuring, and causing the same.

COUNT TWENTY-TWO: 21 U.S.C. §853, 18 U.S.C. §981, 28 U.S.C. § 2461 Forfeiture

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: **COUNT ONE:** NLT 5 years, NMT 40 imprisonment; NMT 5 years supervised release; \$2,000,000.00 fine; \$100.00 Special Assessment

COUNTS EIGHT, TEN & ELEVEN: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

COUNT NINE: NMT 20 years imprisonment; NMT 5 years supervised release; \$1,000,000.00 fine; \$100.00 Special Assessment

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

_____ five days or less X over five days _____ other

THE GOVERNMENT

 X will seek detention in this case _____ will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: X Yes _____ No

(Rev. 04/07)

DATE: August 5, 2008

DEFENDANT: WAYNE ORDAKOWSKI

YOB: 1960

ADDRESS (CITY/STATE): Parker, Colorado

COMPLAINT FILED? ☐ YES ☒ NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? ☐ YES ☐ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: **COUNT SEVENTEEN:** Title 18, United States Code, Section 3 - Did relieve, comfort, and assist offenders in order to hinder and prevent the offenders' apprehension, trial and punishment in connection with wire fraud as charged in Count Sixteen.

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado and elsewhere

PENALTY: **COUNT SEVENTEEN:** NMT 15 years imprisonment; NMT 5 years supervised release; a fine up to \$500,000.00; and a Special Assessment of \$100.00

AGENT: Special Agent Jeff Russell
Bureau of Alcohol, Tobacco, Firearms & Explosives

AUTHORIZED BY: PEGEEN D. RHYNE
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

☐ five days or less ☒ over five days ☐ other

THE GOVERNMENT

☒ will seek detention in this case ☐ will **not** seek detention in this case

The statutory presumption of detention **is not** applicable to this defendant.

OCDETF CASE: ☒ Yes ☐ No